

REMARKS/ARGUMENTS

The Office Action mailed May 2, 2007 has been carefully reviewed and this paper is responsive thereto. Claims 1-30 are pending. Applicants respectfully traverse the rejection in view of the above amendments and the following remarks.

Amended Claims

By this response, claims 1, 15, 20 and 21 are amended.

Claims 1 and 15 have been amended to recite the feature “an end of scan switch configured to be actuated when the platen is in the second position, the end of scan switch configured to provide tactile feedback when activated.” Support for this feature is at least found in the specification as filed, pg. 3, ¶ 9, thus no new matter is added.

Claim 20 was amended to delete a previously claimed feature as a similar feature was added to claim 15 and was further amended to recite “wherein changing the state of the start of scan sensor creates an audible tone and the end of scan switch is further configured to provide an audible indication when activated.” Support for this feature is at least found in the specification as filed, pg. 3, ¶ 9, thus no new matter is added.

Claim 21 was amended to recite the step of “monitoring an encoder target until a predetermined pattern is detected” and support for this is at least found in the specification as filed, pg. 10, ¶ 45, thus no new matter was added.

Provisional Non-statutory Double Patenting Rejection

As this rejection is provisional, and it may well be that this rejection becomes moot during the course of prosecution, Applicants will address this provisional rejection once notification is received that a claim in one of co-pending application is allowable.

Rejection under 35 U.S.C. § 102 & § 103

The pending claims 1-30 are rejected under either 35 U.S.C. § 102 or § 103 in view of U.S. Patent No. 5,942,761 to Tuli (“Tuli”), alone or in combination with either U.S. Patent No. 6,178, 255 to Scott *et al.* (“Scott”) or U.S. Patent No. 7,162,060 to Barton *et al.* (“Barton”).

Claims 1 and 15 have been amended to recite the feature of “an end of scan switch configured to be actuated when the platen is in the second position, the end of scan switch configured to provide tactile feedback when activated.”

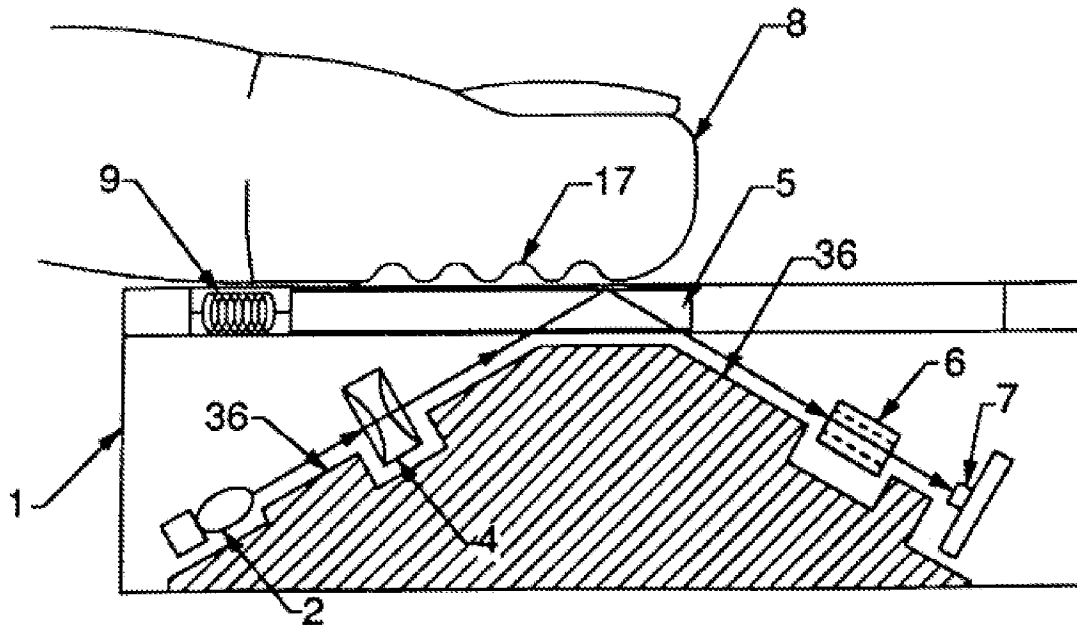
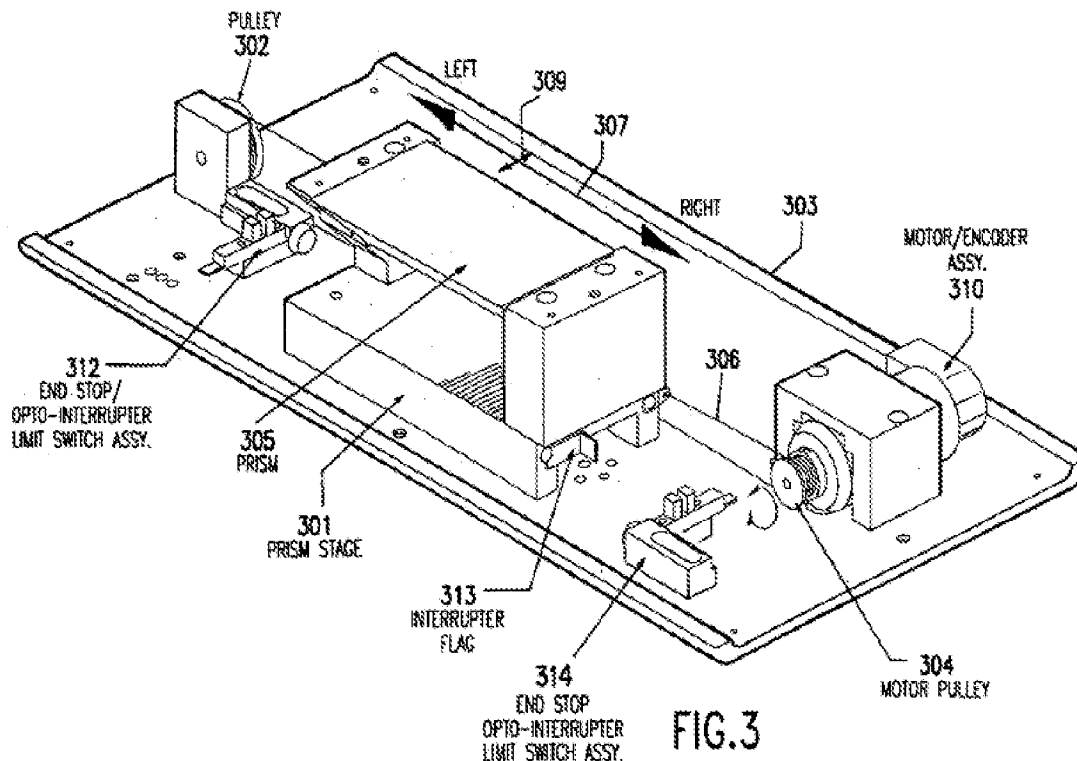


Fig. 14

As can be readily appreciated from Figure 14 of Tuli, provided above, Tuli fails to disclose a start or end of scan switch. The Office Action suggested that Barton corrected this deficiency in Tuli and discloses an opto-interruptor 312, 314 that is being read as a start of scan or end of scan switch, as this feature was admittedly not disclosed by Tuli. Figure 3 of Barton is provided below:



As can be readily appreciated from Figure 3, actuation of the opto-interruptors 312, 314 is done with an interrupter flag 313 that acts to blocks a light beam. (Barton, C. 8, L. 9-31; Figure 3). Interruption of a light beam would not provide tactile feedback and thus would fail to provide the user, especially users that were either unable to hear or where operating in a noisy environment, with a desirable level of feedback. Instead, the user would push on the platen 5 of Tuli (which according to the Office Action is being modified to include the opto-interruptors of Barton) and the user would not be certain whether the platen 5 had reached the end or if the force of the spring 9 was simply increasing. Accordingly, the references of record fail to disclose all the features of claims 1 and 15 and these claims are, therefore, nonobvious in view of the references of record.

Claims 2-14 and 16-20 depend from claims 1 and 15, respectively, and are nonobvious for at least the reasons that claims 1 and 15 are nonobvious and for the additional features recited therein.

Claim 21 has been amended to recite the feature "monitoring an encoder target until a predetermined pattern is detected" and the feature of "in response to the detection of the predetermined pattern, capturing" Tuli was suggested as anticipating claim 21, however the

cited section of Tuli makes no mention of the above feature. Nor has such a feature been discovered elsewhere in Tuli. According, claim 21 recites at least one feature not disclosed by Tuli and cannot be said to be anticipated by Tuli.

Claims 22-30 were rejected in view of Tuli, either alone or in combination with Scott or Barton. Neither Scott nor Barton appear to disclose the above recited feature of claim 21, thus neither Scott nor Barton are capable of correcting this deficiency in Tuli. Accordingly, claims 22-30 each recite a feature not found in the references of record. Therefore, claims 22-30 are patentable over the references of record for at least the reason claim 21 is patentable and for the additional features recited therein.

CONCLUSION

As all rejections have been addressed, Applicants respectfully request reconsideration of the application and allowance of all pending claims. If any matter may be resolved via telephone discussion, the Examiner is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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